HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1042 OF 2013
IN
CIVIL APPLICATION NO.1932 OF 1999
IN
WRIT PETITION NO.2774 OF 1982

Baburao Tukaram Desai (since deceased) and Ors. .. Applicants

IN THE MATTER BETWEEN:

Baburao Tukaram Desai (since deceased) and Ors. .. Petitioners

Versus

Laxmanrao Ramchandrarao Patil and Ors. .. Respondents

.....

- Mr. Sukand R. Kulkarni, Advocate for Petitioners.

.....

CORAM : MILIND N. JADHAV, J.

DATE : JULY 21, 2025

P.C.:

1. Mentioned. Not on Board. Taken on Board.

2. Perused the praecipe dated 21.07.2025.

3. Heard Mr. Kulkarni, learned Advocate for Petitioners.

4. Civil Applications are required to be allowed in view of the fact that principal Petition has been heard finally.

5. For the reasons mentioned in the Civil Application, Civil Application No.1042 of 2013 stands allowed. Order dated 23.07.2002 is quashed and set aside. Resultantly Civil Application No.1932 of 1999 stands restored to the file.

6. Civil Application Present Civil Application has been filed by the Applicants for bringing the legal heirs of Petitioner No.1 on record who has expired during the pendency of the Petition.

7. For the reasons stated in the Civil Application, Civil Application stands allowed. Delay, if any, stands condoned. Abatement, if any, stands set aside in the interest of justice. Legal heirs of deceased Petitioner No.1 as stated in the Application are directed to be brought on record.

8. Amendment to that effect is permitted to be carried out by the Advocate for Applicants/Petitioners within a period of one week. Re-verification stands dispensed with. Copy of the amended Petition shall be typed afresh for Court's benefit and shall be served on the newly impleaded parties afresh and Affidavit of service to that effect shall be filed to enable the Court to hear the Petition.

9. Civil Application is allowed and disposed in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

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